

## Notice of Intent to Readopt

LSA Document #22-205

Readopts rules in anticipation of [IC 4-22-2.5-2](#), providing that an administrative rule adopted under [IC 4-22-2](#) expires January 1 of the seventh year after the year in which the rule takes effect unless the rule contains an earlier expiration date. Effective 30 days after filing with the Publisher.

**OVERVIEW:** Rules to be readopted without changes are as follows:

<a href="#">405 IAC 1-1-2</a>	Choice of provider and use of Medicaid card
<a href="#">405 IAC 1-1-13</a>	Subrogation of claims
<a href="#">405 IAC 1-1-14</a>	Severability; governing provisions; effect of provision inconsistent or invalid with federal law
<a href="#">405 IAC 1-1-16</a>	Insurance information; release
<a href="#">405 IAC 1-4.3</a>	Additional Rate-Setting Criteria for Nursing Facilities, Community Residential Facilities for the Developmentally Disabled, and Intermediate Care Facilities for the Mentally Retarded
<a href="#">405 IAC 1-8-2</a>	Policy; scope
<a href="#">405 IAC 1-8-4</a>	Client copayment
<a href="#">405 IAC 1-10.5-1</a>	Policy; scope
<a href="#">405 IAC 1-10.5-3</a>	Prospective reimbursement methodology
<a href="#">405 IAC 1-11.5</a>	Reimbursement for Services Performed by Physicians, Limited License Practitioners, and Nonphysician Practitioners
<a href="#">405 IAC 1-12-9</a>	Criteria limiting rate adjustment granted by office
<a href="#">405 IAC 1-12-15</a>	Allowable costs; capital return factor; use fee; depreciable life; property basis
<a href="#">405 IAC 1-12-19</a>	Allowable costs; wages; costs of employment; record keeping; owner or related party compensation
<a href="#">405 IAC 1-12-22</a>	Community residential facilities for the developmentally disabled; allowable costs; compensation; per diem rate
<a href="#">405 IAC 1-12-23</a>	Medical or nonmedical supplies and equipment; personal care items
<a href="#">405 IAC 1-12-24</a>	Assessment methodology
<a href="#">405 IAC 1-12-25</a>	Reimbursement for day services
<a href="#">405 IAC 1-12-26</a>	Administrative reconsideration; appeal
<a href="#">405 IAC 1-13</a>	Disproportionate Share Hospital Payments
<a href="#">405 IAC 1-14.6-5</a>	New provider; initial financial report to office; criteria for establishing initial interim rates
<a href="#">405 IAC 1-14.6-16</a>	Unallowable costs; cost adjustments; charity and courtesy allowances; discounts; rebates; refunds of expenses
<a href="#">405 IAC 1-14.6-19</a>	Medical or nonmedical supplies and equipment
<a href="#">405 IAC 1-14.6-20</a>	Nursing facilities reimbursement for therapy services
<a href="#">405 IAC 1-16</a>	Reimbursement for Hospice Services
<a href="#">405 IAC 1-17-1</a>	Policy; scope
<a href="#">405 IAC 1-17-2</a>	Definitions
<a href="#">405 IAC 1-17-4</a>	Financial report to office; annual schedule; prescribed form; extensions
<a href="#">405 IAC 1-17-7</a>	Request for rate review; budget component; occupancy level assumptions; effect of inflation assumptions
<a href="#">405 IAC 1-17-17</a>	State-owned facilities per diem rate
<a href="#">405 IAC 1-18</a>	Reimbursement of Medicare Cross-Over Claims
<a href="#">405 IAC 1-19-2</a>	Time and manner of disclosure
<a href="#">405 IAC 1-20-1</a>	General
<a href="#">405 IAC 1-20-2</a>	Notification requirements
<a href="#">405 IAC 1-20-4</a>	Change of ownership effect
<a href="#">405 IAC 1-21</a>	Payments for Psychiatric Residential Treatment Facility Services
<a href="#">405 IAC 5-1</a>	General Provisions
<a href="#">405 IAC 5-2-3</a>	"Attending provider" defined
<a href="#">405 IAC 5-2-6</a>	"Covered service" defined
<a href="#">405 IAC 5-2-9</a>	"Emergency service" defined

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<a href="#">405 IAC 5-2-10.5</a>	"HCPCS" defined
<a href="#">405 IAC 5-2-11.5</a>	"ICF/IID" defined
<a href="#">405 IAC 5-2-12</a>	"Inpatient services" defined
<a href="#">405 IAC 5-2-13</a>	"ICD-10-CM" defined
<a href="#">405 IAC 5-2-13.2</a>	"IEP nursing services" defined
<a href="#">405 IAC 5-2-15</a>	"Level of care" defined
<a href="#">405 IAC 5-2-15.5</a>	"Medicaid" defined
<a href="#">405 IAC 5-2-16</a>	"Medical policy" defined
<a href="#">405 IAC 5-2-17</a>	"Medically necessary service" defined
<a href="#">405 IAC 5-2-17.5</a>	"Member" defined
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<a href="#">405 IAC 5-2-19</a>	"Outpatient services" defined
<a href="#">405 IAC 5-2-20</a>	"Prior authorization" defined
<a href="#">405 IAC 5-2-21</a>	"Provider" defined
<a href="#">405 IAC 5-2-22</a>	"Provider agreement" defined
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<a href="#">405 IAC 5-22-7</a>	Audiology services
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<a href="#">405 IAC 5-36-3</a>	Limitations on coverage of DSMT
<a href="#">405 IAC 5-37</a>	Tobacco Dependence Treatment Policy

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to the Small Business Regulatory Coordinator for this rule (see [IC 4-22-2-28.1](#)):

William Martin  
Office of General Counsel  
Indiana Family and Social Services Administration  
Indiana Government Center South  
402 West Washington Street, Room W451  
Indianapolis, IN 46204  
(317) 232-8208  
william.martin@fssa.in.gov

Statutory authority: [IC 12-8-6.5-5](#); [IC 12-13](#); [IC 12-15-1-10](#); [IC 12-15-1-15](#); [IC 12-15-6-5](#); [IC 12-15-21-1](#); [IC 12-15-21-2](#); [IC 12-15-21-3](#); [IC 12-15-40-8](#).

For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 5-28-17-6](#) is:

Emily Totten  
Small Business Ombudsman  
Indiana Economic Development Corporation  
One North Capitol, Suite 700  
Indianapolis, IN 46204  
(317) 402-3062  
etotten@iedc.in.gov

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 5-28-17-6](#), specifically [IC 5-28-17-6\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

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